

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS / ST. JOHN

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

ELIJAH HAKIM,  
Defendant.

CRIMINAL NO: 21-mj-

3:21-mj-001

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Joseph A. Pittaluga, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the United States Drug Enforcement Administration (DEA), and I have held this position since August 2016. I am currently assigned to the St. Thomas Resident Office. I investigate drug trafficking organizations as a member of the DEA. Prior to my employment with DEA, I was a sworn law enforcement officer with the St. Petersburg Police Department in St. Petersburg, Florida, for approximately eleven years. For approximately eight of those years, I was a detective in the Narcotics Division.

2. I received twenty weeks of specialized drug law enforcement training at the DEA training academy in Quantico, Virginia. The training covered all aspects of drug investigations, including identification of controlled substances, physical and electronic surveillance, utilization of confidential sources, interview techniques, undercover operations, financial investigations, money laundering techniques, and the general operation of drug trafficking organizations.

3. Over the course of my law enforcement career, I have participated in hundreds of state and federal investigations of illicit drug traffickers, including complex conspiracies. These investigations have involved the use of undercover officers, confidential informants, physical surveillance, and investigative interviews. I have participated in the execution of hundreds of warrants to search locations for controlled substances and related paraphernalia, firearms, and other evidence of violations of both state and federal narcotics statutes.

4. I have participated in multiple wire investigations at the state and federal level and I have obtained state and federal search warrants related to narcotics trafficking. I have arrested numerous offenders at the state and federal level and seized bulk narcotics and assets, among other things.

5. In the course of these investigations, I have acted in an undercover capacity, purchasing crystal methamphetamine, heroin, fentanyl, cocaine base, cocaine powder, prescription medications, MDMA, marijuana and firearms. Moreover, I have participated in, planned, and supervised numerous instances of physical surveillance and electronic surveillance. I have conducted interviews of defendants at the time of their arrest, and I have debriefed and interviewed informants and other non-defendants with respect to drug investigations.

6. As a result of my participation in these and other activities, I have gained particular knowledge in the use and utility of undercover agents, confidential informants, physical surveillance, wire surveillance, electronic surveillance, oral surveillance, consensual recordings, investigative interviews, mail covers, trash searches, installation and monitoring of GPS tracking devices, pole-mounted cameras, and the execution of federal and state search and arrest warrants.

7. I am familiar with the methods used by drug traffickers to distribute drugs and launder drug proceeds. I am especially familiar with the manner in which drug dealers use cellular

phones to coordinate their drug dealing activity, e.g., cellphones are used to sell drugs to customers or obtain drugs from sources of supply. I also know that drug dealers commonly obtain cellular phone service using either a fictitious name or the name of an associate or family member; they do so to protect themselves from law enforcement detection.

8. I know drug dealers sometimes utilize a mail delivery service to mail drugs to redistributors and or receive quantities of drugs from their suppliers. I know drug dealers also sometimes utilize a mail delivery service to provide their supplier with drug proceeds.

9. The facts stated in this affidavit are based upon my personal knowledge, as well as conversations with other law enforcement personnel and witnesses involved in this investigation. Since the affidavit is being submitted for the limited purpose for establishing probable cause, I have not set forth each and every fact learned during the course of this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the relief sought herein, they are related in substance and in part, unless otherwise indicated.

10. This affidavit is made solely for the limited purpose of setting forth probable cause to believe that, beginning on a date unknown but not later than April 22, 2021, through at least May 1, 2021, Elijah Hakim, in the District of the Virgin Islands and elsewhere, knowingly and intentionally conspired to possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, commonly known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)(vi) and 846.

**PROBABLE CAUSE**

11. In April 2021, the United States, including the U.S. Postal Inspection Service (USPIS), the DEA, and the Department of Homeland Security, Homeland Security Investigations (HSI) began a criminal investigation into a drug trafficking organization sending fentanyl from Georgia to the U.S. Virgin Islands via the U.S. Mail.

12. On April 28, 2021, the Virgin Islands Police Department (VIPD) responded to an emergency call regarding a possible drug overdose. A woman (“VICTIM”) was found unresponsive and was ultimately pronounced dead at the hospital. VIPD officers interviewed the VICTIM’s boyfriend. He stated that the VICTIM had taken cocaine and several opioid pills before going to sleep.

13. On April 30, 2021, while conducting a routine customs enforcement operation at the General Post Office, San Juan, PR 00936, Customs and Border Protection (CBP) officers opened United States Postal Service (USPS) Priority Mail parcel (“PARCEL 1”) with tracking number 9505 5104 3258 1112 7845 28 addressed to Ashley Doway, 7700 Thomasville Apt. 11-G, St. Thomas, VI 00802 (“ADDRESS 1”).

14. PARCEL 1 originated in Atlanta, Georgia and listed Le’Nique Sprauve, 4215 Winston Circle, Atlanta, GA 30349, as the sender. PARCEL 1 had been sealed with a clear fiber tape. Upon opening PARCEL 1, CBP officers discovered a pill bottle containing a plastic bag with approximately 150 blue round pills. PARCEL 1 had been filled with spray foam. The pills were sent to the CBP lab in San Juan, Puerto Rico for analysis. On May 10, 2021, the CBP lab confirmed the presence of fentanyl, a schedule II narcotic, in the tablets. The CBP lab recorded the combined net weight of the 150 pills to be 18.11 grams.

15. Video was obtained from the Cumberland Mall Post Office in Atlanta, Georgia of the mailing of PARCEL 1 on April 22, 2021. The video showed a female with a baby mailing PARCEL 1, along with a second USPS parcel 9505 5104 3258 1112 7845 11 (“PARCEL 2”). PARCEL 2 was addressed to Daidre Alexander, 7350 Estate Bovoni, St. Thomas, VI 00802. The sender was listed as Desiree Lettsome, 2919 Northplace Way SE, Smyrna, GA 30080 (“ADDRESS 2”). PARCEL 2 was delivered on May 3, 2021.

16. Historical USPS records were obtained for ADDRESS 1. On April 12, 2021, two USPS priority parcels were mailed from Atlanta, Georgia to ADDRESS 1. Both parcels were delivered on April 15, 2021. An image of the mailing label of one of those parcels – parcel 9505 5111 8038 1102 5240 83 (“PARCEL 3”) – was obtained. PARCEL 3 was sealed with a fiber tape that appeared similar to the tape on PARCEL 1<sup>1</sup>. Phone number 724-302-9115 (“HAKIM Phone”) had registered with USPS to receive text alerts on both parcels.

17. On May 20, 2021, while conducting a routine customs enforcement operation at the Cyril E. King Airport, St. Thomas, VI 00802, CBP officers opened USPS Priority Mail parcel with tracking number 9505 5111 8037 1138 6196 93 (“PARCEL 4”) addressed to Barika Hakim, 7000 Estate Bovoni Bldg E Apt 277, St. Thomas, USVI 00802.

18. PARCEL 4 originated in Atlanta, Georgia and listed Shantel Smith, 404 Cumberland Sq SE, Smyrna, GA, 30080, as the sender. PARCEL 4 had been sealed with a clear fiber tape and filled with spray foam. Upon opening PARCEL 4, CBP officers discovered a green box containing two plastic bags with blue round pills. The interior green box was sealed with clear fiber tape. The pills field tested positive for fentanyl. The DEA Forensic Laboratory later

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<sup>1</sup> Images were not available on the second parcel mailed on April 12, 2021 (9505 5111 8038 1102 5240 90)

confirmed that the pills contained N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, commonly known as fentanyl, a schedule II narcotic. The DEA Lab recorded the net weight of the 200 pills to be 25.154 grams.

19. Historical USPS records were obtained on ADDRESS 2.

- a) USPS parcel 9505 5102 7108 1121 3892 77 (“PARCEL 5”) was mailed on May 1, 2021, from St. Thomas, VI to ADDRESS 2. The sender was listed as Barika Hakim, 7000 Estate Bovoni, Building E, Apt 217, St. Thomas, VI 00802. The recipient was listed as Elijah Hakim at ADDRESS 2.
- b) USPS parcel 9505 5102 7108 1121 3892 77 (“PARCEL 6”) was mailed on March 2, 2021, from St. Thomas, VI to ADDRESS 2. The sender was listed as Sheila Hakim, 7000 Estate Bovoni, Building C, Apt 210, St. Thomas, VI 00802. The recipient was listed as Elijah Hakim at ADDRESS 2. The handwriting on PARCEL 6 looked very similar to the handwriting on PARCEL 4, which contained fentanyl.

20. Based on my training and experience, spray foam is a common concealment method in drug parcels.

21. Elijah Hakim was arrested in March 2015 by the Miami Dade County Sheriff’s Office for trafficking ecstasy.

22. In April 2019, CBP officers in St. Thomas intercepted USPS parcel 9505 5156 2834 9086 4942 76 (“PARCEL 7”). The parcel contained approximately 208 grams of pills which field tested positive for ecstasy. The recipient was listed as Elijah Hakim, 7000 Estate Bovoni, Bldg C, Apt 220, St. Thomas USVI 00802.

23. In April 2020, Elijah Hakim was stopped by CBP officers at the Cyril E. King Airport. During a brief interview, Hakim stated that his girlfriend was Desiree Lettsome and that he resided at ADDRESS 2 and on St. Thomas at 7000 Estate Bovoni Bldg C., Apt # 210.

24. Travel records showed that Elijah Hakim travelled from Atlanta, Georgia to St. Thomas, Virgin Islands on April 15, 2021, and departed St. Thomas on April 27, 2021.

25. Phone number 404-630-0999 is associated with Desiree Lettsome. PARCEL 1 was mailed on April 22, 2021, at approximately 4:55 pm. Approximately 18 calls were made between 404-630-0999 and HAKIM Phone between 3:50 pm and 5:07 pm on that same day (April 22, 2021).

26. The VICTIM's phone number was 340-514-8263 ("VICTIM Phone"). Both the VICTIM Phone and HAKIM Phone were in contact with 929-318-6298 (SUSPECT Phone) multiple times in April 2021. The VICTIM Phone and HAKIM Phone were never in direct communication with one another. When isolated for the dates between April 1, 2021, and May 1, 2021, the VICTIM Phone and SUSPECT Phone communicated approximately 233 times from April 7, 2021, to April 28, 2021. More specifically, the VICTIM Phone and SUSPECT Phone exchanged 139 telephone calls and 94 text messages. The HAKIM Phone and SUSPECT Phone communicated approximately 55 times between April 21, 2021, and April 27, 2021. More specifically, the HAKIM Phone and SUSPECT Phone exchanged 53 telephone calls and 2 text messages.

27. On April 27, 2021, the day before the VICTIM's death, the SUSPECT Phone was in communication with the VICTIM Phone approximately 24 times, to include 2 telephone calls and 22 text messages. On that same day, the SUSPECT Phone was in communication with the HAKIM Phone approximately 8 times, to include 8 telephone calls and 0 text messages. On April

28, 2021, the day of the VICTIM's death, the SUSPECT Phone was in communication with the VICTIM Phone approximately 24 times, to include 16 telephone calls and 8 text messages.

28. On June 9, 2021 Magistrate Judge Ruth Miller signed a warrant for location data for the HAKIM Phone in the District of the Virgin Islands. The warrant included historical location data.

29. PARCEL 4 had been mailed on May 18, 2021, at approximately 4:27 pm from the Akers Mill Post Office located at 2997 Cobb Parkway SE, Suite 300, Atlanta, Georgia, 30339. Historical location records for the HAKIM Phone showed that it was within 400 meters of the Akers Mill Post Office on May 18, 2021 at approximately 4:19 pm.

30. Video surveillance was obtained from the Akers Mill Post Office in Atlanta, Georgia of the mailing of PARCEL 4 on May 18, 2021. The video showed a black male mailing the parcel.

31. Location data for the HAKIM Phone showed that on June 21, 2021, the HAKIM Phone travelled from Smyrna, Georgia and arrived in the vicinity of the Sheraton Orlando North hotel at approximately 7:55 p.m. that evening (June 21, 2021). Hotel records were obtained that reflect that Elijah Hakim checked into the hotel for one night on that date (June 21, 2021). Hotel records and video surveillance showed that HAKIM was the only occupant that checked into the hotel. Hotel records also listed ADDRESS 2 as Elijah Hakim's address.

32. Video surveillance from the Akers Mill Post Office depicting the mailer of PARCEL 4, and video surveillance from Sheraton Orlando North depicting Elijah Hakim, detail similar physical attributes between one another.

33. On June 22, 2021, location data for the HAKIM Phone indicated that the HAKIM Phone travelled back to Smyrna, GA. June 22, 2021, is the same date that hotel records and video surveillance showed that Elijah Hakim checked out of the hotel.

34. On June 23, 2021, the U.S. Postal Inspection Service Forensic Laboratory Services reported finding latent fingerprints on PARCEL 4 which came back to Elijah Hakim.

35. On July 20, 2021, U.S. Magistrate Judge George Cannon signed a warrant<sup>2</sup> for iCloud data associated to the VICTIM Phone in the District of the Virgin Islands.

36. Based upon my training, experience, knowledge of this investigation and totality of circumstances, I believe that Elijah HAKIM is utilizing the HAKIM Phone to coordinate, track and re-distribute quantities of drugs from the Atlanta, Georgia area to St. Thomas, VI. I believe that the communications between the HAKIM Phone and SUSPECT Phone were communications arranging the unknown user of the SUSPECT Phone's procurement of drugs from HAKIM. I believe that the communications between the SUSPECT Phone and VICTIM Phone were communications arranging a drug transaction between the VICTIM and the unknown user of the SUSPECT Phone.

37. I know from my training and experience that drug traffickers will often have short, relatively quick communications with one another about drug deals, especially when they have an established relationship. I also know, however, that such communications can take longer when certain logistical information needs to be discussed (i.e. date, time, location, quantity, etc.).

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<sup>2</sup> On July 19, 2021, based upon an iCloud preservation request for the VICTIM Phone provided to Apple, Apple indicated that they were unable to locate any account associated to the VICTIM Phone. On or around July 26, 2021, the undersigned nonetheless submitted the iCloud search warrant to Apple. Apple has yet to respond to the iCloud search warrant.

38. Based on the above information, I believe there is probable cause that beginning on a date unknown but not later than April 22, 2021, through at least May 1, 2021, Elijah Hakim, in the District of the Virgin Islands and elsewhere, knowingly and intentionally conspired to possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)(vi) and 846.

Respectfully submitted,

  
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Joseph A. Pittaluga  
Special Agent  
Drug Enforcement Administration

Sworn to before me and subscribed in my presence on September 9, 2021, at St. Thomas, U.S. Virgin Islands.

  
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Honorable Ruth Miller  
United States Magistrate Judge